

ZONING BOARD OF APPEALS MEETING MINUTES

APRIL 4, 2005

PRESENT: Mary Cardin, Robert Palozej, and Alternates Robert Wambolt, Adam LaFleche

ABSENT: Kenneth Braga, Alfred Francis, Mark Spurling and Alternate Joseph Snyder

STAFF

PRESENT: Kristin Michaud, Recording Secretary

I. CALL TO ORDER:

Chairman Cardin called the Zoning Board of Appeals (ZBA) meeting to order at 7:06 PM at the Ellington Town Hall Annex, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS: NONE

III. PUBLIC HEARINGS:

1. #V200506—Connecticut Department of Transportation for variances to Ellington Zoning Regulations, Section 5.2 Area & Yard Requirements Schedule and Section 6.1 Nonconforming Uses of Land & Structures: to increase nonconformities to lot size and the front yard setback by reducing existing nonconforming lot size from 64,469 square feet to 62,893 square feet and reducing existing nonconforming front yard setback from 49 feet to 39 feet to a structure for purposes of road realignment on property located at 135 Windermere Avenue, APN 026-020-0000 in an IP Zone.

TIME: 7:08

SEATED: M. Cardin, R. Palozej, R. Wambolt, A. LaFleche

Chairman Cardin read letters dated 01/24/86 and 02/28/86 from the application file.

Steven Degan – State of CT DOT Office of Rights of Way, came forward to explain the application with the commission. He explained that this application is required because the Windermere Avenue Bridge needs replacement. They will T the section of the road so it aligns with Pinney Street.

Joseph Mitchell, property owner, has no objections with the plan.

Bill Amos, 144 Windermere Ave, wondered where the taking line was and was shown the location.

R. Palozej, wanted to know if there was any money exchange for this project. Steven Degan, said there is no money exchange. They make an offer of fair market value to the property owner. He also explained that if there is no way to get a variance they will have to acquire the entire property.

Peter Michaud, Director of Public Works, explained the time table for the project. It will start next Spring.

MOVED (WAMBOLT), SECONDED (PALOZEJ) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #V200506—CONNECTICUT DEPARTMENT OF TRANSPORTATION.

MOVED (WAMBOLT), SECONDED (LEFLECHE) AND PASSED UNANIMOUSLY TO APPROVE #V200506— CONNECTICUT DEPARTMENT OF TRANSPORTATION.

HARDSHIP: UNDER CT GENERAL STATUTE 48-24, FAILURE TO OBTAIN THE VARIANCE MAY RESULT IN THE TOTAL ACQUISITION OF THE PROPERTY, THUS DENYING THE OWNER USE AND OCCUPANCY OF THE REMAINDER THROUGH NO FAULT OF THEIR OWN.

IV. UNFINISHED BUSINESS:

1. General Discussion of Zoning Regulations

THIS ITEM WAS TABLED TO THE MAY 5, 2005 REGULAR MEETING.

V. NEW BUSINESS: NONE

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the March 7, 2005 Meeting Minutes

MOVED (WAMBOLT), SECONDED (LEFLECHE) AND PASSED UNANIMOUSLY TO APPROVE THE MARCH 7, 2005 MEETING MINUTES.

2. Correspondence:

- a. Letter to Robert Phillips from Dennis Milanovich, dated 3/18/05 (ZEO acceptance confirmation)
- b. Memo to Dennis Milanovich from Matt Davis, dated 3/21/05 (BOS 3/14/05 Meeting Minutes)

SO NOTED.

VII. ADJOURNMENT:

MOVED (WAMBOLT), SECONDED (PALOZEJ) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 7:30 PM.

Respectfully Submitted,

Kristin Michaud
Recording Secretary